



Benedict P. Morelli

June 13, 2017

VIA ECF

Magistrate Judge Lois Bloom
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Bouchard v. United States Tennis Association, Inc., et al.*
Docket No.: 1:15-cv-5920-AMD-MDG

Dear Judge Bloom:

We represent the Plaintiff Eugenie Bouchard in the above-captioned matter. We feel compelled to respond to Defendants' recent letter seeking an extension of the current expert discovery deadline and the inaccuracies contained therein.

To get squarely to the point, Plaintiff made every effort to comply with the Court's directive to exchange all expert discovery and complete expert depositions by June 30, 2017. The Court made clear that it did not want any further extensions of this deadline. The Defendants decided to wait until the last minute to complete their expert exchange, even though Plaintiff exchanged her expert reports many months ago. Defendants have decided to retain a so-called "expert," a former professional tennis player, to testify at trial. Defendants needed to go all the way to Australia to find such a person, and now, they have informed Plaintiff that this "expert" will not be available for a deposition within the timeframe set forth by the Court.

Plaintiff has made a major effort to produce all of its experts within the Court's deadline, even though the Defendants only informed Plaintiff on June 6th that they in fact wanted to depose Plaintiffs' experts. Two of Plaintiff's experts are practicing physicians who needed to cancel appointments just to accommodate deposition dates within the Court's deadline. Plaintiff stands ready, willing and able to abide by the Court's directive and complete all expert discovery by June 30. If the Defendants wanted to meet the Court's deadline, they should have retained an expert within the United States and not delayed in exchanging their reports.

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To be clear, Plaintiff is not requesting an extension of the current deadline, nor is Plaintiff consenting to Defendants' request for an extension. However, if the Court feels inclined to extend the deadline in order to accommodate Defendants' "expert" from Australia, Plaintiff suggests that the Court extend the deadline for all expert depositions so that the parties do not need to conduct six expert depositions in the last two weeks of June.

Plaintiff welcomes the opportunity to discuss this matter further with the Court.

Respectfully Submitted,

MORELLI LAW FIRM, PLLC



Benedict P. Morelli, Esq.

cc: **WILSON ELSEER MOSKOWITZ**
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Attorneys for Defendants